

EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

STATE OF TEXAS,
STATE OF MISSOURI,

Plaintiffs,

v.

JOSEPH R. BIDEN, JR.,
in his official capacity as
President of the United States, *et al.*,

Defendants.

Civil Action No. 2:21-cv-00067-Z

DECLARATION OF BLAS NUÑEZ-NETO

I, Blas Nuñez-Neto, pursuant to 28 U.S.C. § 1746 and based upon my personal knowledge and documents and information made known or available to me from official records and reasonably relied upon in the course of my employment, hereby declare as follows:

1. I am the Acting Assistant Secretary for Border and Immigration Policy as of October 1, 2021. My permanent role is Chief Operating Officer at U.S. Customs and Border Protection (CBP), within the Department of Homeland Security (DHS), which I began on March 5, 2021. Since August 24, 2021, I have been concurrently serving as the Vice Chair for the Secretary of Homeland Security's Southwest Border Taskforce. I also previously served at DHS as an Advisor to CBP Commissioner Gil Kerlikowske from January 12, 2015 to January 16, 2017.
2. DHS continues to make significant progress as we work to reimplement the Migrant Protection Protocols (MPP) in good faith.

3. As I described in my previous declaration from October 14, 2021, the U.S. government has initiated the relevant contracts and largely finished its internal planning for the court-ordered re-implementation of MPP, despite its determination that MPP should be terminated. As a result of this work, DHS is ready to reimplement MPP shortly after the Government of Mexico (GOM) makes an independent decision to accept the return of individuals that the Department seeks to enroll in the program.
4. Over the past month, we have had regular and high-level meetings with the GOM to discuss the GOM's concerns about the prior implementation of MPP and to work through possible solutions. We have made significant progress and are close to finalizing these discussions. Nevertheless, there is one set of outstanding issues that must be resolved before Mexico will be in a position to make the independent decision to accept into Mexico those enrolled in MPP. As described previously, the U.S. government cannot re-institute MPP until Mexico makes that independent decision.
5. We anticipate that the remaining issues will be resolved shortly and that reimplementation will begin within the coming weeks.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief. Executed on this 15th day of November, 2021.



Blas Nuñez-Neto
Acting Assistant Secretary
Border and Immigration Policy
Department of Homeland Security
Chief Operating Officer
U.S. Customs and Border Protection